

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

JAMES CHYNELL KING, #49358	§	
VS.	§	CIVIL ACTION NO. 6:05cv127
SHANE GUTHRIE, ET AL.	§	

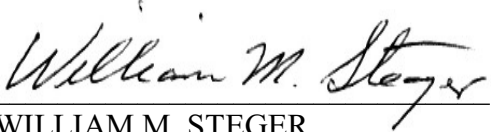
ORDER OF DISMISSAL

Plaintiff James Chynell King, a prisoner confined in the Gregg County Jail, filed this civil rights lawsuit about a use of force incident that occurred in 2001. The case was referred to United States Magistrate Judge Harry W. McKee, who issued a Report and Recommendation concluding that the case should be dismissed because it is time-barred. The plaintiff has filed objections.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by the plaintiff are without merit. Thus the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the cause of action is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). All motions by either party not previously ruled on are hereby denied.

**SIGNED this 2nd day of June, 2005.**

  
WILLIAM M. STEGER  
UNITED STATES DISTRICT JUDGE